

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address ROD DANIELSON, Chapter 13 Trustee 3787 University Avenue Riverside, CA 92501 (951) 826-8000 FAX (951) 826-8090 <input type="checkbox"/> Debtor(s) appearing without an attorney <input checked="" type="checkbox"/> Attorney for: Chapter 13 Trustee	FOR COURT USE ONLY			
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION				
In re: JENNIFER DAWN FUENTES, Debtor(s).	<table border="1"><tr><td>CASE NO.: 6:24-bk-12943-WJ CHAPTER: 13</td></tr><tr><td style="text-align: center;">NOTICE OF OPPORTUNITY TO REQUEST A HEARING ON MOTION [LBR 9013-1(o)]</td></tr><tr><td style="text-align: center;">[No hearing unless requested in writing]</td></tr></table>	CASE NO.: 6:24-bk-12943-WJ CHAPTER: 13	NOTICE OF OPPORTUNITY TO REQUEST A HEARING ON MOTION [LBR 9013-1(o)]	[No hearing unless requested in writing]
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NOTICE OF OPPORTUNITY TO REQUEST A HEARING ON MOTION [LBR 9013-1(o)]				
[No hearing unless requested in writing]				

TO THE U.S. TRUSTEE AND ALL PARTIES ENTITLED TO NOTICE, PLEASE TAKE NOTICE THAT:

1. Movant(s) CHAPTER 13 TRUSTEE,
filed a motion or application (Motion) entitled CHAPTER 13 TRUSTEE'S MOTION TO DISMISS CHAPTER 13
CASE FOR FAILURE TO MAKE PLAN PAYMENTS.
2. Movant(s) is requesting that the court grant the Motion without a hearing as provided for in LBR 9013-1(o), unless a party in interest timely files and serves a written opposition to the Motion and requests a hearing.
3. The Motion is based upon the legal and factual grounds set forth in the Motion. (*Check appropriate box below*):
☒ The full Motion is attached to this notice; or
☐ The full Motion was filed with the court as docket entry # _____, and a detailed description of the relief sought is attached to this notice.
4. **DEADLINE FOR FILING AND SERVING OPPOSITION PAPERS AND REQUEST FOR A HEARING:** Pursuant to LBR 9013-1(o), any party who opposes the Motion may request a hearing on the Motion. The deadline to file and serve a written opposition and request for a hearing is 14 days after the date of service of this notice, plus 3 additional days if you were served by mail or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F).

- a. If you timely file and serve a written opposition and request for a hearing, movant will file and serve a notice of hearing at least 14 days in advance of the hearing. [LBR 9013-1(o)(4)]
- b. If you fail to comply with this deadline:
 - (1) Movant will file a declaration to indicate: (1) the Motion was properly served, (2) the response period elapsed, and (3) no party filed and served a written opposition and request for a hearing within 14 days after the date of service of the notice [LBR 9013-1(o)(3)];
 - (2) Movant will lodge an order that the court may use to grant the Motion; and
 - (3) The court may treat your failure as a waiver of your right to oppose the Motion and may grant the Motion without further hearing and notice. [LBR 9013-1(h)]

Respectfully submitted,

Date: 08/22/2024

/s/Rod Danielson
Signature of Movant or attorney for Movant

Rod Danielson, Chapter 13 Trustee
Printed name of Movant or attorney for Movant

1 ROD DANIELSON, Chapter 13 Trustee
Bridget Kelly, 256197
2 3787 University Avenue
Riverside, CA 92501
3 (951) 826-8000 FAX (951) 826-8090
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7
8

9 UNITED STATES BANKRUPTCY COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 RIVERSIDE DIVISION

12) Case No.: 6:24-bk-12943-WJ
13)
IN RE:) Chapter 13
14)
JENNIFER DAWN FUENTES,) **CHAPTER 13 TRUSTEE'S MOTION TO**
15) **DISMISS CHAPTER 13 CASE FOR**
Debtor.) **FAILURE TO MAKE PLAN PAYMENTS**
16)
(No hearing required)
17)

18 Dismissal is requested pursuant to 11 U.S.C. § 1307(c)(1) and LBR 3015-1(k)(4) for
19 unreasonable delay for failure to timely make all plan payments due. Since the filing of this
20 petition, the following plan payments have come due and have been paid by the debtor:
21

AMOUNT DUE	DUE DATE	AMOUNT PAID	PAYMENT DATE
\$270	6/28/24	\$280	6/27/24
\$1,624	7/28/24		

22
23
24
25

1 See Exhibit A. The plan payments have not been timely made, and any cure of the \$1,614
2 delinquency will not be able to remedy the late payments. If the debtor is unable to timely
3 make her plan payments after having just filed her petition a few months ago, it appears the
4 plan is infeasible and she should discuss non-bankruptcy options with her attorney.

5 For all the foregoing reasons, the Chapter 13 Trustee requests the case be dismissed.

6
7 Dated: August 22, 2024

/s/Rod Danielson
8 ROD DANIELSON, Chapter 13 Standing Trustee

DECLARATION OF BRIDGET KELLY

I, BRIDGET KELLY, declare as follows:

1. I am an attorney licensed by the State of California to practice law. I am a Staff Attorney for Rod Danielson, Chapter 13 Standing Trustee for the Riverside Division of the United States Bankruptcy Court for the Central District of California. I am admitted to practice before the District Court for the Central District of California.

2. I have personally reviewed the files, records, and documents in this case and I am familiar with the facts contained in those documents. If called as a witness, I could and would be able to testify as to the facts contained therein.

3. As of today's date, the debtor has paid only the first plan payment due. A true and correct copy of the Status Report and TFS website transaction printout are attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed by me at Riverside, California.

DATED: August 22, 2024



Bridget Kelly

STATUS REPORT - CASE #6:24-bk-12943-WJ AS OF 8/22/2024

JENNIFER DAWN FUENTES
 27176 RAINBOW CREEK
 TEMECULA, CA 92591

LAST 12 RECEIPTS		TOTAL RECEIPTS PER MONTH - LAST 12 MONTHS	
06/27/24	\$280.00	08/2024	\$0.00
		07/2024	\$0.00
		06/2024	\$280.00
		05/2024	\$0.00
		04/2024	\$0.00
		03/2024	\$0.00
		02/2024	\$0.00
		01/2024	\$0.00
		12/2023	\$0.00
		11/2023	\$0.00
		10/2023	\$0.00
		09/2023	\$0.00

CURRENT CASE DISPOSITION: ACTIVE

FILING DATE: 05/28/2024	MONTHLY PLAN PMT AMT: \$1,624.00	FEES PAID TO ATTY: \$0.00
1ST MEETING DATE: 06/26/2024	GROSS RECEIPTS: \$280.00	FEES PAID TO TRUSTEE: \$280.00
CONFIRMATION DATE: 01/01/1900	REFUNDS FR CREDITORS: \$0.00	REFUNDS TO DEBTOR: \$0.00
TERM OF PLAN: 60 MONTHS	NET PAID CREDITORS: \$0.00	BALANCE ON HAND: \$252.00
PERCENT TO UNSEC.: 0.00%		

CLM#	CREDITOR NAME	CREDITOR CLASS	INT%	SCHEDULED AMOUNT	CLAIMED AMOUNT	PRINCIPAL PAID	INTEREST PAID	PRINCIPAL BAL OWED
ATTY	BROTHERS LAW GROUP, LLP	ATTORNEY FEE	N/A	\$2,500.00	\$2,500.00	\$0.00	\$0.00	\$2,500.00
0001	2ND CHANCE MORTGAGES INC	MORTGAGE ARREARS	0.00	\$3,382.00	\$0.00	\$0.00	\$0.00	\$0.00
0002	NORTHROP GRUMMAN	VEHICLE ARREARS	0.00	\$1,890.00	\$0.00	\$0.00	\$0.00	\$0.00
0003	PENNYMAC LOAN SERVICES, LLC	MORTGAGE ARREARS	0.00	\$3,703.00	\$0.00	\$0.00	\$0.00	\$0.00
0004	TOYOTA FINANCIAL SERVICES	VEHICLE ARREARS	0.00	\$1,050.00	\$0.00	\$0.00	\$0.00	\$0.00
0005	AFFIRM, INC.	UNSECURED	0.00	\$1,756.00	\$0.00	\$0.00	\$0.00	\$0.00
0006	AFFIRM, INC.	UNSECURED	0.00	\$634.00	\$0.00	\$0.00	\$0.00	\$0.00
0007	AFFIRM, INC.	UNSECURED	0.00	\$502.00	\$0.00	\$0.00	\$0.00	\$0.00
0008	AFFIRM, INC.	UNSECURED	0.00	\$366.00	\$0.00	\$0.00	\$0.00	\$0.00
0009	AFFIRM, INC.	UNSECURED	0.00	\$246.00	\$0.00	\$0.00	\$0.00	\$0.00
0010	AFFIRM, INC.	UNSECURED	0.00	\$231.00	\$0.00	\$0.00	\$0.00	\$0.00
0011	AFFIRM, INC.	UNSECURED	0.00	\$219.00	\$0.00	\$0.00	\$0.00	\$0.00
0012	AFFIRM, INC.	UNSECURED	0.00	\$202.00	\$0.00	\$0.00	\$0.00	\$0.00
0013	AFFIRM, INC.	UNSECURED	0.00	\$198.00	\$0.00	\$0.00	\$0.00	\$0.00
0014	AFFIRM, INC.	UNSECURED	0.00	\$195.00	\$0.00	\$0.00	\$0.00	\$0.00
0015	AFFIRM, INC.	UNSECURED	0.00	\$180.00	\$0.00	\$0.00	\$0.00	\$0.00
0016	AFFIRM, INC.	UNSECURED	0.00	\$143.00	\$0.00	\$0.00	\$0.00	\$0.00
0017	AFFIRM, INC.	UNSECURED	0.00	\$114.00	\$0.00	\$0.00	\$0.00	\$0.00
0018	AFFIRM, INC.	UNSECURED	0.00	\$68.00	\$0.00	\$0.00	\$0.00	\$0.00
0019	AFFIRM, INC.	UNSECURED	0.00	\$56.00	\$0.00	\$0.00	\$0.00	\$0.00
0020	AFFIRM, INC.	UNSECURED	0.00	\$29.00	\$0.00	\$0.00	\$0.00	\$0.00
0021	ASPIRE CREDIT CARD	UNSECURED	0.00	\$1,553.00	\$0.00	\$0.00	\$0.00	\$0.00
0022	AVANT/WEBBANK	UNSECURED	0.00	\$1,221.00	\$0.00	\$0.00	\$0.00	\$0.00
0023	CAPITAL ONE	UNSECURED	0.00	\$5,697.00	\$0.00	\$0.00	\$0.00	\$0.00
0024	CAPITAL ONE	UNSECURED	0.00	\$2,394.00	\$0.00	\$0.00	\$0.00	\$0.00
0025	CFNA	UNSECURED	0.00	\$2,429.00	\$0.00	\$0.00	\$0.00	\$0.00
0026	COASTL/PROSP	UNSECURED	0.00	\$68.00	\$0.00	\$0.00	\$0.00	\$0.00
0027	COMENITY BANK/KAY JEWELERS	UNSECURED	0.00	\$1,220.00	\$0.00	\$0.00	\$0.00	\$0.00
0028	COMENITY BK/ULTA	UNSECURED	0.00	\$587.00	\$0.00	\$0.00	\$0.00	\$0.00
0029	COMENITY CAPITAL/FAMOUS	UNSECURED	0.00	\$233.00	\$0.00	\$0.00	\$0.00	\$0.00
0030	COMENITY/BURLINGTON	UNSECURED	0.00	\$517.00	\$0.00	\$0.00	\$0.00	\$0.00
0031	COMENITYBANK/VENUS	UNSECURED	0.00	\$41.00	\$0.00	\$0.00	\$0.00	\$0.00
0032	CONTINENTAL FINANCE CO	UNSECURED	0.00	\$1,025.00	\$0.00	\$0.00	\$0.00	\$0.00
0033	COUNTY OF RIVERSIDE	UNSECURED	0.00	\$1,755.00	\$0.00	\$0.00	\$0.00	\$0.00
0034	CREDIT ONE BANK	UNSECURED	0.00	\$908.00	\$0.00	\$0.00	\$0.00	\$0.00
0035	DMV	UNSECURED	0.00	\$525.00	\$0.00	\$0.00	\$0.00	\$0.00
0036	ENVISION PHYSICIAN SERVICE	UNSECURED	0.00	\$1,476.00	\$0.00	\$0.00	\$0.00	\$0.00
0037	FIRST SAVINGS BANK	UNSECURED	0.00	\$643.00	\$0.00	\$0.00	\$0.00	\$0.00
0038	FORTIVA	UNSECURED	0.00	\$1,088.00	\$0.00	\$0.00	\$0.00	\$0.00
0039	GENESIS FS CARD SERVICES	UNSECURED	0.00	\$866.00	\$0.00	\$0.00	\$0.00	\$0.00
0040	HOME CREDIT USA	UNSECURED	0.00	\$570.00	\$0.00	\$0.00	\$0.00	\$0.00
0041	KOHL'S	UNSECURED	0.00	\$3,007.00	\$0.00	\$0.00	\$0.00	\$0.00
0042	MERRICK BANK CORP	UNSECURED	0.00	\$2,259.00	\$0.00	\$0.00	\$0.00	\$0.00
0043	NAVIENT	UNSECURED	0.00	\$60,871.00	\$0.00	\$0.00	\$0.00	\$0.00

STATUS REPORT - CASE #6:24-bk-12943-WJ AS OF 8/22/2024

CONTINUED

CLM#	CREDITOR NAME	CREDITOR CLASS	INT%	SCHEDULED AMOUNT	CLAIMED AMOUNT	PRINCIPAL PAID	INTEREST PAID	PRINCIPAL BAL OWED
0044	NAVIENT	UNSECURED	0.00	\$18,301.00	\$0.00	\$0.00	\$0.00	\$0.00
0045	NAVIENT	UNSECURED	0.00	\$17,265.00	\$0.00	\$0.00	\$0.00	\$0.00
0046	NAVIENT	UNSECURED	0.00	\$15,451.00	\$0.00	\$0.00	\$0.00	\$0.00
0047	NAVIENT	UNSECURED	0.00	\$15,296.00	\$0.00	\$0.00	\$0.00	\$0.00
0048	NAVIENT	UNSECURED	0.00	\$15,040.00	\$0.00	\$0.00	\$0.00	\$0.00
0049	NAVIENT	UNSECURED	0.00	\$12,883.00	\$0.00	\$0.00	\$0.00	\$0.00
0050	NAVIENT	UNSECURED	0.00	\$8,217.00	\$0.00	\$0.00	\$0.00	\$0.00
0051	NAVIENT	UNSECURED	0.00	\$4,015.00	\$0.00	\$0.00	\$0.00	\$0.00
0052	NAVIENT	UNSECURED	0.00	\$3,929.00	\$0.00	\$0.00	\$0.00	\$0.00
0053	NAVIENT	UNSECURED	0.00	\$3,912.00	\$0.00	\$0.00	\$0.00	\$0.00
0054	NAVIENT	UNSECURED	0.00	\$3,325.00	\$0.00	\$0.00	\$0.00	\$0.00
0055	NAVIENT	UNSECURED	0.00	\$1,014.00	\$0.00	\$0.00	\$0.00	\$0.00
0056	NAVIENT	UNSECURED	0.00	\$959.00	\$0.00	\$0.00	\$0.00	\$0.00
0057	NAVIENT	UNSECURED	0.00	\$727.00	\$0.00	\$0.00	\$0.00	\$0.00
0058	NORTHROP GRUMMAN	UNSECURED	0.00	\$5,068.00	\$0.00	\$0.00	\$0.00	\$0.00
0059	NORTHROP GRUMMAN	UNSECURED	0.00	\$9,668.00	\$0.00	\$0.00	\$0.00	\$0.00
0060	NORTHROP GRUMMAN FCU	UNSECURED	0.00	\$5,086.00	\$0.00	\$0.00	\$0.00	\$0.00
0061	NORTHROP GRUMMAN	UNSECURED	0.00	\$5,031.00	\$0.00	\$0.00	\$0.00	\$0.00
0062	NORTHROP GRUMMAN FEDERAL CF	UNSECURED	0.00	\$5,429.00	\$0.00	\$0.00	\$0.00	\$0.00
0063	NORTHROP GRUMMAN FEDERAL CF	UNSECURED	0.00	\$4,424.00	\$0.00	\$0.00	\$0.00	\$0.00
0064	SUNBIT, INC	UNSECURED	0.00	\$363.00	\$0.00	\$0.00	\$0.00	\$0.00
0065	SUNBIT FINANCIAL	UNSECURED	0.00	\$351.00	\$0.00	\$0.00	\$0.00	\$0.00
0066	SUNBIT FINANCIAL	UNSECURED	0.00	\$1,050.00	\$0.00	\$0.00	\$0.00	\$0.00
0067	SYNCB/CCDSTR	UNSECURED	0.00	\$670.00	\$0.00	\$0.00	\$0.00	\$0.00
0068	SYNCHRONY BANK/CARE CREDIT	UNSECURED	0.00	\$1,614.00	\$0.00	\$0.00	\$0.00	\$0.00
0069	SYNCHRONY BANK/GAP	UNSECURED	0.00	\$904.00	\$0.00	\$0.00	\$0.00	\$0.00
0070	SYNCHRONY BANK/HHGREGG	UNSECURED	0.00	\$1,016.00	\$0.00	\$0.00	\$0.00	\$0.00
0071	SYNCHRONY/HSN	UNSECURED	0.00	\$1,653.00	\$0.00	\$0.00	\$0.00	\$0.00
0072	TARGET NB	UNSECURED	0.00	\$320.00	\$0.00	\$0.00	\$0.00	\$0.00
0073	VIVE FINANCIAL	UNSECURED	0.00	\$5,010.00	\$0.00	\$0.00	\$0.00	\$0.00

TOTAL PRINCIPAL BALANCE OWED*: \$2,500.00

* THE "TOTAL PRINCIPAL BALANCE OWED" IS NOT THE AMOUNT NECESSARY TO PAY YOUR PLAN IN FULL. IT DOES NOT TAKE INTO ACCOUNT ANY BALANCE ON HAND, NOR DOES IT INCLUDE TRUSTEE'S FEES (ESTIMATED AT 11%), ACCRUING INTEREST, ANY CLAIMS THAT THE TRUSTEE IS NOT AWARE OF, OR "BASE PLAN" REQUIREMENTS. TO OBTAIN AN ESTIMATED PAYOFF BALANCE, PLEASE SUBMIT A WRITTEN REQUEST TO THE TRUSTEE.



 Dashboard

Welcome, Rod Danielson (TR) ▼

 Language ▼

 All Transactions for Jennifer Fuentes

Name	Address
Jennifer Fuentes	27176 Rainbow Creek, Temecula, CA, 92591

Date Started	Date Cleared	Arrived at Trustee	Case Number	Transaction ID	Amount	Status	Description
June 20, 2024	June 26, 2024	June 27, 2024	24-12943	16265205	\$280.00	Complete	Manual Debtor Payment

EXHIBIT A

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

3787 University Avenue
Riverside, CA 92501

A true and correct copy of the foregoing document entitled (*specify*): (1) NOTICE OF OPPORTUNITY TO REQUEST A HEARING ON MOTION, (2) CHAPTER 13 TRUSTEE'S MOTION FOR ORDER DISMISSING CHAPTER 13 CASE FOR FAILURE TO MAKE PLAN PAYMENTS

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 8/22/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Rod Danielson (TR) notice-efile@rodan13.com
Jonathan D Doan Ecf@doanlawfirm.com, jim@doanlawgroup.com;doanjr70033@notify.bestcase.com
Henry D Paloci hpaloci@hotmail.com, hpaloci@calibankruptcy.com
Amitkumar Sharma amit.sharma@aisinfo.com
Nathan F Smith nathan@mclaw.org, CACD_ECF@mclaw.org;mcecfnotices@ecf.courtdrive.com;cvalenzuela@mclaw.org
United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 8/22/2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

JENNIFER FUENTES, 27176 RAINBOW CREEK, TEMECULA, CA 92591

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 8/22/24, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Wayne Johnson
3420 Twelfth Street
Riverside, CA 92501

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

8/22/2024 Susan Jones /s/Susan Jones
Date *Printed Name* *Signature*